

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FIRST LEGISLATURE

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THIRTY-SECOND LEGISLATIVE DAY  
THURSDAY, FEBRUARY 9, 2012

House of Representatives

The House convened at 11 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Pastor Gary Moore.

The Pledge of Allegiance was led by Susie McHan, Page.

### Approval of Journal

February 9, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Thirty-first Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR  
Boise

February 8, 2012

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bills, to wit:

[H 356](#), [H 360](#), [H 362](#), and [H 395](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C.L. "Butch" Otter  
Governor

February 8, 2012

Mr. Speaker:

I return herewith enrolled [H 357](#) and [H 363](#) which have been signed by the President.

NOVAK, Secretary

Enrolled [H 357](#) and [H 363](#) were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

### Report of Standing Committees

February 9, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [HR 4](#), [H 490](#), [H 491](#), [H 492](#), [H 493](#), [H 494](#), [H 495](#), [H 496](#), [H 497](#), [H 498](#), [H 499](#), and House amendments to [H 387](#), [H 368](#), [H 388](#), and [H 393](#).

WILLS, Chairman

[HR 4](#) and [H 497](#) were referred to the Judiciary, Rules, and Administration Committee.

[H 490](#) and [H 491](#) were referred to the State Affairs Committee.

[H 492](#) and [H 493](#) were referred to the Business Committee.

[H 494](#), [H 495](#), and [H 496](#) were referred to the Resources and Conservation Committee.

[H 498](#) and [H 499](#) were referred to the Education Committee.

February 9, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled [H 365](#).

WILLS, Chairman

The Speaker announced he was about to sign enrolled [H 365](#) and, when so signed, ordered it transmitted to the Senate for the signature of the President.

February 9, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 387](#), as amended, [H 368](#), as amended, [H 388](#), as amended, and [H 393](#), as amended.

WILLS, Chairman

[H 387](#), as amended, [H 368](#), as amended, [H 388](#), as amended, and [H 393](#), as amended, were filed for first reading of engrossed bills.

February 9, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [H 395](#) to the Governor at 12:05 p.m., as of this date, February 8, 2012.

WILLS, Chairman

February 8, 2012

Mr. Speaker:

We, your COMMITTEE ON TRANSPORTATION AND DEFENSE, report that we have had under consideration [H 473](#) and recommend that it do pass.

PALMER, Chairman

[H 473](#) was filed for second reading.

February 8, 2012

Mr. Speaker:

We, your COMMITTEE ON AGRICULTURAL AFFAIRS, report that we have had under consideration [H 389](#) and recommend that it do pass.

ANDRUS, Chairman

[H 389](#) was filed for second reading.

February 9, 2012

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 372](#) and recommend that it do pass.

LOERTSCHER, Chairman

[H 372](#) was filed for second reading.

There being no objection, the House advanced to the Seventh Order of Business.

#### **Motions, Memorials, and Resolutions**

[SCR 113](#), held at the Desk February 7, 2012, was referred to the Ways and Means Committee.

At this time, the Speaker notified the body of a system error that may have affected the recording of roll call votes involving the phone-voting option under specific circumstances. The system error has been resolved. Members may review their roll call votes for any discrepancies and contact the Chief Clerk.

Mr. Moyle asked unanimous consent that the Speaker's notification be printed in the journal. Without objection, it was so ordered.

#### **Introduction, First Reading, and Reference of Bills and Joint Resolutions**

##### **HOUSE BILL NO. 500 BY HEALTH AND WELFARE COMMITTEE AN ACT**

RELATING TO THE OCCUPATIONAL THERAPY PRACTICE ACT; AMENDING SECTION 54-3711, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CONTINUING EDUCATION.

##### **HOUSE BILL NO. 501 BY HEALTH AND WELFARE COMMITTEE AN ACT**

RELATING TO COUNSELORS AND THERAPISTS; AMENDING SECTION 54-3400, IDAHO CODE, TO REVISE LEGISLATIVE FINDINGS; AMENDING SECTION 54-3401, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 54-3402, IDAHO CODE, TO REVISE PROHIBITED ACTIVITIES, TO REVISE EXEMPTIONS AND TO PROVIDE AN EXEMPTION; AMENDING SECTION 54-3403, IDAHO CODE, TO REMOVE ARCHAIC PROVISIONS, TO REVISE BOARD COMPOSITION REQUIREMENTS, TO REVISE BOARD MEETING PROVISIONS AND TO REMOVE BOARD SECRETARY PROVISIONS; AMENDING SECTION 54-3404, IDAHO CODE, TO REVISE BOARD POWERS; AMENDING CHAPTER 34, TITLE 54, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 54-3405A, IDAHO CODE, TO PROVIDE QUALIFICATION REQUIREMENTS FOR LICENSED CLINICAL PROFESSIONAL COUNSELORS; AMENDING SECTION 54-3405C, IDAHO CODE, TO REVISE QUALIFICATION REQUIREMENT PROVISIONS FOR MARRIAGE AND FAMILY THERAPISTS; AMENDING SECTION 54-3406, IDAHO CODE, TO PROVIDE FOR ENDORSEMENT OF CERTAIN LICENSEES LICENSED IN ANOTHER STATE, TERRITORY OR FOREIGN COUNTRY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 54-3407, IDAHO CODE, TO REVISE PROVISIONS RELATING TO DISCIPLINE; AMENDING SECTION 54-3408, IDAHO CODE, TO REVISE PROVISIONS RELATING TO UNLAWFUL ACTS;

AMENDING SECTION 54-3410, IDAHO CODE, TO REVISE VERBIAGE; AMENDING SECTION 54-3410A, IDAHO CODE, TO PROVIDE FOR INFORMED CONSENT, TO REVISE PROVISIONS RELATING TO INFORMATION DISCLOSURE AND TO PROVIDE FOR DOCUMENTED RECORDS OF DISCLOSURE; AMENDING SECTION 54-3412, IDAHO CODE, TO REMOVE INCONSISTENT VERBIAGE; AND AMENDING SECTION 54-3414, IDAHO CODE, TO REVISE SPECIFIED POWERS AND DUTIES OF THE BUREAU OF OCCUPATIONAL LICENSES RELATING TO COUNSELORS AND THERAPISTS.

##### **HOUSE BILL NO. 502 BY HEALTH AND WELFARE COMMITTEE AN ACT**

RELATING TO UNIFORMED CONTROLLED SUBSTANCES; AMENDING SECTION 37-2705, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE I CONTROLLED SUBSTANCES AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 37-2709, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE III CONTROLLED SUBSTANCES AND TO PROVIDE A CORRECT CITATION; AMENDING SECTION 37-2711, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE IV CONTROLLED SUBSTANCES; AND AMENDING SECTION 37-2713, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SCHEDULE V CONTROLLED SUBSTANCES.

##### **HOUSE BILL NO. 503 BY HEALTH AND WELFARE COMMITTEE AN ACT**

RELATING TO PRESCRIPTION DRUG ORDERS; AMENDING SECTION 54-1733, IDAHO CODE, TO PROVIDE FOR AN EXCEPTION, TO ESTABLISH PROVISIONS RELATING TO CIRCUMSTANCES WHERE A PRESCRIBER MAY PERFORM CERTAIN ACTIVITIES FOR A PATIENT WITH WHOM THE PRESCRIBER DOES NOT HAVE A PRESCRIBER-PATIENT RELATIONSHIP AND TO ESTABLISH PROVISIONS RELATING TO UNPROFESSIONAL CONDUCT.

##### **HOUSE BILL NO. 504 BY LOCAL GOVERNMENT COMMITTEE AN ACT**

RELATING TO URBAN RENEWAL LAW; AMENDING SECTION 50-2006, IDAHO CODE, TO ESTABLISH PROVISIONS RELATING TO A RESOLUTION FOR THE SELECTION OF A BOARD OF COMMISSIONERS, TO REVISE PROVISIONS RELATING TO A BOARD OF COMMISSIONERS AND TO DELETE PROVISIONS RELATING TO AN ENACTMENT OF AN ORDINANCE.

##### **HOUSE BILL NO. 505 BY LOCAL GOVERNMENT COMMITTEE AN ACT**

RELATING TO THE CHARTER OF THE CITY OF BELLEVUE; AMENDING CHAPTER IV, ELECTIONS, SECTION 41, CHARTER OF THE CITY OF BELLEVUE TO PROVIDE FOR THE TERM OF OFFICE TO BE AS SET FORTH IN THE GENERAL LAWS OF THE STATE OF IDAHO APPLICABLE TO ELECTION OF CITY OFFICIALS, INCLUDING SUBSEQUENT AMENDMENTS THERETO AND TO PROVIDE STAGGERED TERMS OF OFFICE.

**HOUSE BILL NO. 506**  
**BY LOCAL GOVERNMENT COMMITTEE**  
 AN ACT

RELATING TO URBAN RENEWAL LAW; AMENDING SECTION 50-2007, IDAHO CODE, TO REVISE PROVISIONS RELATING TO URBAN RENEWAL AGENCY POWERS WITHIN ITS AREA OF OPERATION; AND AMENDING SECTION 50-2010, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ACQUISITION OF PROPERTY AND TO ELIMINATE PROVISIONS RELATING TO EMINENT DOMAIN AND CONDEMNATION.

**HOUSE BILL NO. 507**  
**BY LOCAL GOVERNMENT COMMITTEE**  
 AN ACT

RELATING TO URBAN RENEWAL LAW; AMENDING SECTION 50-2008, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO INFORMATION TO BE INCLUDED IN CERTAIN URBAN RENEWAL PLANS, TO PROVIDE THAT A PLAN PREPARED OR APPROVED FOR AN URBAN RENEWAL AREA SHALL BE LIMITED TO SPECIFIC PROJECTS AND SHALL INCLUDE CERTAIN SPECIFIC DESCRIPTIONS, TO ESTABLISH THAT MODIFICATIONS TO A PLAN SHALL COMPLY WITH THE SAME PROVISIONS, TO ESTABLISH THAT A PLAN SHALL INCLUDE A TERMINATION DATE AND TO MAKE A TECHNICAL CORRECTION.

**HOUSE BILL NO. 508**  
**BY LOCAL GOVERNMENT COMMITTEE**  
 AN ACT

RELATING TO COUNTIES; AMENDING CHAPTER 8, TITLE 31, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 31-880, IDAHO CODE, TO AUTHORIZE COUNTIES TO ENACT ORDINANCES TO DECLARE WHAT SHALL BE DEEMED NUISANCE WEEDS, TO PREVENT, REMOVE AND ABATE NUISANCE WEEDS AND TO LEVY CERTAIN SPECIAL ASSESSMENTS RELATING TO THE DEFRAID OF COSTS ASSOCIATED WITH THE ABATEMENT OF NUISANCE WEEDS.

**HOUSE BILL NO. 509**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO AERONAUTICS; AMENDING SECTION 21-501, IDAHO CODE, TO REVISE DEFINITIONS; AMENDING SECTION 21-502, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN AVIATION HAZARDS; REPEALING SECTION 21-503, IDAHO CODE, RELATING TO AIRPORT ZONING REGULATION; AMENDING CHAPTER 5, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-503, ESTABLISHING PROVISIONS RELATING TO AVIATION HAZARD MITIGATION, TO ESTABLISH PROVISIONS RELATING TO THE MARKING OF AVIATION HAZARDS, TO ESTABLISH PROVISIONS RELATING TO THE DETERMINATION OF AVIATION HAZARDS, TO ESTABLISH PROVISIONS RELATING TO CERTAIN PROCEDURES, TO ESTABLISH PROVISIONS RELATING TO VARIANCES, TO ESTABLISH PROVISIONS RELATING TO JUDICIAL REVIEW, TO ESTABLISH PROVISIONS RELATING TO RULES AND REGULATIONS AND TO ESTABLISH PROVISIONS RELATING TO ENFORCEMENT AND REMEDIES; REPEALING SECTION 21-504, IDAHO CODE, RELATING TO PROCEDURES FOR ZONING AN AVIATION HAZARD AREA; REPEALING SECTION

21-505, IDAHO CODE, RELATING TO AIRPORT ZONING REQUIREMENTS; REPEALING SECTION 21-505A, IDAHO CODE, RELATING TO PERMITS AND VARIANCES, MARKING AND LIGHTING; REPEALING SECTION 21-505B, IDAHO CODE, RELATING TO COMPREHENSIVE ZONING REGULATIONS; REPEALING SECTION 21-506, IDAHO CODE, RELATING TO JUDICIAL REVIEW; REPEALING SECTION 21-507, IDAHO CODE, RELATING TO ENFORCEMENT AND REMEDIES; REPEALING SECTION 21-508, IDAHO CODE, RELATING TO ACQUISITION OF AIR RIGHTS; REPEALING SECTION 21-510, IDAHO CODE, RELATING TO A SHORT TITLE; REPEALING SECTION 21-513, IDAHO CODE, RELATING TO A DECLARATION OF POLICY; REPEALING SECTION 21-515, IDAHO CODE, RELATING TO MARKING OF HAZARDS TO AIR FLIGHT; REPEALING SECTION 21-516, IDAHO CODE, RELATING TO DETERMINATION OF HAZARDS; REPEALING SECTION 21-517, IDAHO CODE, RELATING TO PROCEDURE FOR DETERMINATION OF HAZARDS; REPEALING SECTION 21-518, IDAHO CODE, RELATING TO JUDICIAL REVIEW; REPEALING SECTION 21-519, IDAHO CODE, RELATING TO RULES AND REGULATIONS; REPEALING SECTION 21-520, IDAHO CODE, RELATING TO VIOLATIONS OF ACT, PENALTIES AND INJUNCTIONS; AMENDING SECTION 67-6502, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PURPOSE OF THE ACT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 67-6508, IDAHO CODE, TO ELIMINATE A REFERENCE TO AVIATION AND TO ESTABLISH PROVISIONS RELATING TO PUBLIC AIRPORT FACILITIES IN REGARD TO CERTAIN PLANNING DUTIES; AMENDING SECTION 67-6509, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NOTICE; AMENDING SECTION 67-6511, IDAHO CODE, TO REVISE PROVISIONS RELATING TO CERTAIN ZONES OR ZONING DISTRICTS AND TO REVISE PROVISIONS RELATING TO CERTAIN ORDINANCES ESTABLISHING ZONING DISTRICTS; AMENDING SECTION 67-6512, IDAHO CODE, TO REVISE PROVISIONS RELATING TO GRANTING A SPECIAL USE PERMIT; AMENDING SECTION 67-6513, IDAHO CODE, TO REVISE PROVISIONS RELATING TO SUBDIVISION ORDINANCES; AMENDING SECTION 67-6515A, IDAHO CODE, TO PROVIDE FOR NOTICE AND HEARING AND TO REVISE PROVISIONS RELATING TO THE TRANSFER OF CERTAIN DEVELOPMENT RIGHTS; AND AMENDING SECTION 67-6516, IDAHO CODE, TO REVISE PROVISIONS RELATING TO NOTICE AND AN OPPORTUNITY TO BE HEARD IN REGARD TO GRANTING A VARIANCE.

**HOUSE BILL NO. 510**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO MOTOR VEHICLE REGISTRATION; AMENDING SECTION 49-402, IDAHO CODE, TO PROVIDE A CODE REFERENCE; AMENDING CHAPTER 4, TITLE 49, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 49-420L, IDAHO CODE, TO PROVIDE FOR A NATIONAL MOTTO LICENSE PLATE PROGRAM.

**HOUSE BILL NO. 511**  
**BY TRANSPORTATION AND DEFENSE COMMITTEE**  
 AN ACT

RELATING TO AERONAUTICS; AMENDING CHAPTER 5, TITLE 21, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 21-515A, IDAHO CODE, TO

ESTABLISH PROVISIONS RELATING TO THE MARKING AND LIGHTING OF CERTAIN TOWERS, TO PROVIDE FOR DEFINITIONS, TO PROVIDE FOR AN EXCEPTION AND TO PROVIDE FOR A MISDEMEANOR.

**HOUSE BILL NO. 512**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO SHEEP; AMENDING SECTION 25-126, IDAHO CODE, TO REVISE THE NAME OF THE STATE BOARD OF SHEEP COMMISSIONERS TO THE IDAHO SHEEP AND GOAT HEALTH BOARD; AMENDING SECTION 25-127, IDAHO CODE, TO REVISE THE NAME OF A BOARD, TO REVISE TERMINOLOGY AND TO REVISE THE NAME OF AN ACCOUNT; AMENDING SECTION 25-128, IDAHO CODE, TO REVISE THE NAME OF A BOARD; AMENDING SECTION 25-129, IDAHO CODE, TO REVISE THE NAME OF AN ACCOUNT, TO REMOVE A REQUIREMENT FOR APPROVAL OF THE GOVERNOR RELATING TO THE BOARD'S APPOINTMENT OF A VETERINARIAN AND TO REVISE THE NAME OF A BOARD; AMENDING SECTION 25-130, IDAHO CODE, TO REVISE THE NAME OF AN ACCOUNT AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 25-131, IDAHO CODE, TO REVISE THE NAME OF AN ACCOUNT, TO REVISE TERMINOLOGY AND TO REVISE ASSESSMENT PROVISIONS; AMENDING SECTION 25-136, IDAHO CODE, TO REVISE THE NAME OF AN ACCOUNT; AMENDING SECTION 25-141B, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 25-141C, IDAHO CODE, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 25-141D, IDAHO CODE, TO REVISE TERMINOLOGY, TO PROVIDE FOR THE RECEIPT OF IDAHO SHEEP AND GOAT HEALTH FUNDS INTO THE SHEEP AND GOAT DISEASE INDEMNITY FUND AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTIONS 25-143, 25-144, 25-145, 25-146, 25-148 AND 25-150, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 25-155, IDAHO CODE, TO REVISE TERMINOLOGY AND TO REVISE THE NAME OF A BOARD; AMENDING SECTION 25-156, IDAHO CODE, TO REMOVE PROVISIONS RELATING TO THE DEPOSIT OF CERTAIN MONEYS, TO REMOVE PROVISIONS RELATING TO THE WITHDRAWAL OF MONEYS, TO REMOVE AUDIT PROVISIONS, TO PROVIDE THAT THE BOARD, OR ENTITY THE BOARD HAS CONTRACTED WITH, SHALL FILE CERTAIN REPORTS AND TO REMOVE EXEMPTION PROVISIONS RELATED TO STANDARD TRAVEL AND PAY ALLOWANCES FOR SPECIFIED EXPENDITURES; REPEALING SECTION 25-157, IDAHO CODE, RELATING TO BONDS OF AGENTS AND EMPLOYEES; AMENDING SECTION 25-158, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 25-160, IDAHO CODE, TO PROVIDE FOR THE IDAHO SHEEP AND GOAT HEALTH BOARD AND TO REVISE TERMINOLOGY; AMENDING SECTION 25-201, IDAHO CODE, TO REVISE TERMINOLOGY; AMENDING SECTION 25-218, IDAHO CODE, TO REVISE THE NAME OF A BOARD; AMENDING SECTION 25-232, IDAHO CODE, TO REVISE THE NAME OF A BOARD, TO REVISE TERMINOLOGY AND TO MAKE A TECHNICAL CORRECTION; AND AMENDING SECTIONS 25-2612A

AND 67-5303, IDAHO CODE, TO REVISE THE NAME OF A BOARD.

**HOUSE BILL NO. 513**  
**BY AGRICULTURAL AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO HONEY; AMENDING SECTION 22-2802, IDAHO CODE, TO REVISE THE DECLARATION OF POLICY AND PURPOSE AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 22-2803, IDAHO CODE, TO REVISE DEFINITIONS AND TO DEFINE TERMS; AMENDING SECTION 22-2807, IDAHO CODE, TO REVISE THE DUTIES OF THE IDAHO HONEY ADVERTISING COMMISSION AND TO MAKE A TECHNICAL CORRECTION; AMENDING CHAPTER 28, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2808, IDAHO CODE, TO PROVIDE FOR RULEMAKING; AMENDING SECTION 22-2808, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE VERBIAGE, TO REVISE A CODE REFERENCE, TO REMOVE PROVISIONS RELATING TO RULEMAKING AND TO REMOVE PROVISIONS RELATING TO VIOLATIONS AND PENALTIES; AMENDING CHAPTER 28, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2810, IDAHO CODE, TO PROVIDE THAT CERTAIN PERSONS MAY ENTER ANY FACTORY, WAREHOUSE OR ESTABLISHMENT IN WHICH HONEY IS PROCESSED, PACKED OR HELD FOR DISTRIBUTION OR ANY VEHICLE BEING USED TO TRANSPORT HONEY FOR THE PURPOSE OF SAMPLING THE HONEY, TO PROVIDE FOR INSPECTIONS, TO PROVIDE FOR SAMPLING AND ANALYSIS METHODS, TO PROVIDE FOR DETERMINATIONS OF ADULTERATION BASED ON OFFICIAL SAMPLES, TO PROVIDE FOR WARRANTS DIRECTING THAT PREMISES BE SUBMITTED TO INSPECTION, TO PROVIDE FOR ENTRY UPON ANY PUBLIC OR PRIVATE PREMISES INCLUDING VEHICLES OF TRANSPORT FOR THE PURPOSE OF SAMPLING HONEY AND EXAMINING AND COPYING CERTAIN RECORDS, TO PROVIDE FOR FORWARDING OF RESULTS OF ANALYSES OF OFFICIAL SAMPLES TO PACKERS, PURCHASERS AND RETAILERS AND TO PROVIDE THAT PORTIONS OF SAMPLES SHALL BE FURNISHED TO CERTAIN PACKERS, PURCHASERS AND RETAILERS; AMENDING CHAPTER 28, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2811, IDAHO CODE, TO PROVIDE PENALTIES FOR VIOLATIONS AND TO PROVIDE FOR WARNINGS AND OTHER ADMINISTRATIVE ACTION IN REGARD TO MINOR VIOLATIONS; AMENDING CHAPTER 28, TITLE 22, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 22-2812, IDAHO CODE, TO PROVIDE FOR STOP SALE, USE, OR REMOVAL ORDERS, TO PROVIDE FOR THE SEIZURE OF CERTAIN HONEY, TO PROVIDE FOR THE DISPOSAL OF CONDEMNED HONEY AND TO PROVIDE THAT CLAIMANTS SHALL BE GIVEN AN OPPORTUNITY TO APPLY TO THE COURT FOR RELEASE OF HONEY OR FOR PERMISSION TO PROCESS OR RELABEL HONEY; AMENDING SECTION 22-2809, IDAHO CODE, TO REDESIGNATE THE SECTION AND TO REVISE VERBIAGE; AMENDING SECTION 22-2810, IDAHO CODE, TO REDESIGNATE THE SECTION, TO REVISE VERBIAGE AND TO MAKE TECHNICAL CORRECTIONS; AND AMENDING SECTION 22-2811, IDAHO CODE, TO REDESIGNATE THE SECTION.

**HOUSE BILL NO. 514**  
**BY JUDICIARY, RULES, AND ADMINISTRATION**  
**COMMITTEE**  
 AN ACT

RELATING TO DISTURBING THE PEACE; AMENDING SECTION 18-6409, IDAHO CODE, TO PROVIDE ADDITIONAL PROVISIONS RELATING TO DISTURBING THE PEACE.

**HOUSE BILL NO. 515**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO COPIES OF CERTAIN REPORTS; AMENDING SECTION 67-1903, IDAHO CODE, TO PROVIDE FOR STRATEGIC PLANS TO BE IN AN ELECTRONIC FORMAT AND TO PROVIDE FOR A CERTAIN AMOUNT OF PAPER COPIES; AND AMENDING SECTION 67-1904, IDAHO CODE, TO PROVIDE FOR PERFORMANCE REPORTS AND OTHER DOCUMENTS TO BE IN AN ELECTRONIC FORMAT AND TO PROVIDE FOR A CERTAIN AMOUNT OF PAPER COPIES.

**HOUSE BILL NO. 516**  
**BY STATE AFFAIRS COMMITTEE**  
 AN ACT

RELATING TO THE STATE LIQUOR DIVISION; AMENDING SECTION 23-105, IDAHO CODE, TO REVISE A DEFINITION AND TO MAKE TECHNICAL CORRECTIONS; AMENDING SECTION 23-201, IDAHO CODE, TO CORRECT A CODE REFERENCE AND TO REVISE PROVISIONS RELATING TO THE DIVISION AND THE DIRECTOR OF THE DIVISION; REPEALING SECTION 23-204, IDAHO CODE, RELATING TO SUCCESSORS TO PROPERTY OF FORMER ADMINISTRATORS; REPEALING SECTION 23-205, IDAHO CODE, RELATING TO THE SECRETARY AND THE APPOINTMENT, TERM AND DUTIES; AMENDING SECTION 23-207, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE POWERS OF THE DIRECTOR; AMENDING SECTION 23-211, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE RELATING TO THE POSITION OF SECRETARY; AMENDING SECTION 23-214, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE RELATING TO THE POSITION OF SECRETARY; AMENDING SECTION 23-301, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE ESTABLISHING AND MAINTAINING OF LIQUOR STORES AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 23-304, IDAHO CODE, TO DELETE LANGUAGE RELATING TO VENDORS; AMENDING SECTION 23-305, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO VENDORS AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 23-306, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO VENDORS; AMENDING SECTION 23-309, IDAHO CODE, TO DELETE LANGUAGE RELATING TO VENDORS; AMENDING SECTION 23-406, IDAHO CODE, TO REMOVE OBSOLETE LANGUAGE RELATING TO THE POSITION OF SECRETARY AND TO MAKE A TECHNICAL CORRECTION; AMENDING SECTION 23-407, IDAHO CODE, TO REMOVE LANGUAGE RELATING TO VENDORS; AMENDING SECTION 23-607, IDAHO CODE, TO REVISE EXEMPTIONS FROM PROVISIONS RELATING TO CERTAIN ADVERTISING; REPEALING SECTION 23-609, IDAHO CODE, RELATING TO INTERNAL REVENUE RECEIPT AS PRIMA FACIE EVIDENCE; AMENDING SECTION 23-611, IDAHO CODE, TO PROVIDE A REFERENCE TO THE DIRECTOR OF THE IDAHO

STATE POLICE; AND AMENDING SECTION 23-914, IDAHO CODE, TO REVISE PROVISIONS RELATING TO THE PURCHASE OF LIQUOR BY LICENSEES AND THEN SOLD BY LICENSEES.

[H 500](#), [H 501](#), [H 502](#), [H 503](#), [H 504](#), [H 505](#), [H 506](#), [H 507](#), [H 508](#), [H 509](#), [H 510](#), [H 511](#), [H 512](#), [H 513](#), [H 514](#), [H 515](#), and [H 516](#) were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

**First Reading of Engrossed Bills**

[H 387](#), as amended, by Local Government Committee, was introduced, read the first time by title, and filed for second reading.

[H 368](#), as amended, by Transportation and Defense Committee, was introduced, read the first time by title, and filed for second reading.

[H 388](#), as amended, by Health and Welfare Committee, was introduced, read the first time by title, and filed for second reading.

[H 393](#), as amended, by Education Committee, was introduced, read the first time by title, and filed for second reading.

**Second Reading of Bills and Joint Resolutions**

[H 443](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[H 446](#), by Resources and Conservation Committee, was read the second time by title and filed for third reading.

[H 449](#), by Judiciary, Rules, and Administration Committee, was read the second time by title and filed for third reading.

[S 1213](#), [S 1219](#), and [S 1222](#), by Judiciary and Rules Committee, were read the second time by title and filed for third reading.

**Third Reading of Bills and Joint Resolutions**

**[H 426](#) - EDUCATION**

[H 426](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thayn to open debate.

The question being, "Shall [H 426](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Black, Block, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Eskridge, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Killen, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wills, Wood(35), Mr. Speaker. Total – 58.

NAYS – Bell, Bilbao, Bolz, Ellsworth, Gibbs, Jaquet, King, Moyle, Patrick, Ringo, Smith(30), Wood(27). Total – 12.

Total – 70.

Whereupon the Speaker declared that [H 426](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [S 1237](#) - EDUCATION

[S 1237](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Shirley to open debate.

The question being, "Shall [S 1237](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block, Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood, Henderson, Higgins, Jaquet, Killen, King, Lacey, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nasset, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayn, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 70.

NAYS – None.

Whereupon the Speaker declared that [S 1237](#) passed the House. Title was approved and the bill ordered returned to the Senate.

There being no objection, the House advanced to the Sixteenth Order of Business.

#### **Adjournment**

Mr. Moyle moved that the House adjourn until 8:30 a.m., Friday, February 10, 2012. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 11:56 a.m.

LAWRENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk